

FORM PTO-1083

Docket No.: 710.1042

Date: March 6, 2007

Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: **Thomas LINDEN**  
Serial No.: 10/577,092  
Filed: April 25, 2006 as national phase of International Application No. PCT/EP04/10800 filed  
September 25, 2004  
For: **METHOD AND DEVICE FOR CONTROLLING DISTANCE**  
Sir:

Transmitted herewith is a **Response to Notification of Missing Requirements (1 page)** in the above-identified application.


- ☒ Also transmitted herewith are:  
☒ Petition for extension under 37 C.F.R. 1.136  
☒ Return receipt postcard  
☒ Other: - **Copy of Notification of Missing Requirements (2 pages)**  
- **Copy of executed Declaration/Power of Attorney (1 page)**
- ☒ Check(s) in the amount of **\$250.00** is/are attached to cover:  
[ ] Filing fee for additional claims under 37 C.F.R. 1.16  
☒ Petition fee for extension under 37 C.F.R. 1.136  
☒ Fee set forth in 37 C.F.R. §1.16(f)  
[ ] Other:
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
☒ Any patent application processing fees under 37 C.F.R. 1.17.  
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 C.F.R. 1.136.

  
William C. Gehris, Reg. No. 38,156

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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on March 6, 2007.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
Liana Chirila

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Application of: **Thomas LINDEN**  
Serial No.: 10/577,092  
Filed: April 25, 2006 as national phase of International  
Application No. PCT/EP04/10800 filed September 25,  
2004  
Attorney Docket No.: 710.1042  
For: **METHOD AND DEVICE FOR CONTROLLING  
DISTANCE**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 6, 2007

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Sir:

In response to the Notification of Missing Requirements, dated December 8, 2006, a copy of which is enclosed, please find a copy of an executed Declaration/Power of Attorney form signed by the inventor (1 page), a Petition for Extension of Time under 37 C.F.R. §1.136 (1 page), and a check in the amount of \$250.00 covering the filing surcharge and one-month extension fee.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

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By



William C. Gehris, Reg. No. 38,156

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/577,092                  | Thomas Linden         | 710.1042         |

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/EP04/10800                |               |
| IA. FILING DATE               | PRIORITY DATE |
| 09/25/2004                    | 10/25/2003    |

CONFIRMATION NO. 4326

371 FORMALITIES LETTER



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**RECEIVED**  
DEC 11 2006  
DAVIDSON, DAVIDSON & KAPPEL

Date Mailed: 12/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/25/2006
- English Translation of the IA filed on 04/25/2006
- Copy of the International Search Report filed on 04/25/2006
- Preliminary Amendments filed on 04/25/2006
- Information Disclosure Statements filed on 04/25/2006
- Oath or Declaration filed on 04/25/2006
- U.S. Basic National Fees filed on 04/25/2006
- Priority Documents filed on 04/25/2006

*8/11/06*  
*11/8/07 missing parts (deadline)*  
*11/25/07 missing parts (due date)*  
*Reminders: 11/8/07*  
*11/25/07*

The applicant needs to satisfy supplemental fees/problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

*ERS/TPC/WCO/OP*

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/577,092                  | PCT/EP04/10800                | 710.1042         |